

13281
07/23/03
U.S. PTO

REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR
FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

Attorney Docket No. P66925US1

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

16235 U.S. PTO
10/624888
07/23/03

This is a request for filing a [x] continuation or [] divisional application under 37 CFR 1.53(b) of prior application number 09/890,277 filed August 10, 2001 for SPRAY CONTAINING UBIQUINONE QN by inventor(s):

Franz ENZMANN

Enclosed is a copy of the prior application including the Declaration as originally filed.

1. [] A Preliminary Amendment is enclosed.
2. [] Cancel claims * .
3. [] The filing fee is calculated as follows on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

Fee Calculation					
Excess Claims					
	Nº of Claims	Nº Allowed	Excess Claims	Small Entity Fee	Large Entity Fee
<i>Total</i>		$\ominus 20 =$	-20	$\otimes \$9 =$ \$	$\otimes \$18 =$ \$
<i>Ind.</i>		$\ominus 3 =$	-3	$\otimes \$42 =$ \$	$\otimes \$84 =$ \$
[] Multiple Dependent Claims (1 st Filing)				$\oplus \$140 =$ \$	$\oplus \$280 =$ \$
Excess Claims Fee				\$	\$
Filing Fee				\$	\$
Other:				\$	\$
Total Fee Due				\$0	\$0

4. [] A check for \$ is enclosed.
- [] Charge \$* to Deposit Account No. 06-1358.
5. [x] **This application is filed without payment of the filing fee under 37 CFR 1.53(f).**

6. Amend the specification by inserting at page 1, before the first line:

This is a continuation of application no. 09/890,277 filed August 10, 2001

which is a *of application no. */*, filed *

which is a 371 of application no. PCT/EP00/0102, filed February 9, 2000, and published in German.

7. Small entity status:

A small entity statement is enclosed.

A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.

Is no longer claimed.

8. Priority under 35 USC 119 is claimed to application number 11905880.6 filed February 11, 1999, in Germany.

Certified copy on file in prior application no. 09/890,277

Certified copy filed herewith.

9. The prior application is assigned of record to MSE Pharmazeutika GmbH

10. The Power of Attorney in the prior application is to at least one of the following:

William E. Player, 31,409; John Clarke Holman, 22,769; Harvey B. Jacobson, Jr., 20,851; D. Douglas Price, 24,514; Marvin R. Stern, 20,640; Michael R. Slobasky, 26,421; Jonathan L. Scherer, 29,851; Irwin M. Aisenberg, 19,007.

The power appears in the original papers of the prior application.

Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

11. Petition to extend the life of the above prior application to at least the date hereof

(One box) is being concurrently filed in that prior application.

NOTE:(must be) was previously filed in that application.

(X'd) is not necessary.

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, the Commissioner is hereby petitioned to extend the time for response and authorized to charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.

12. Formal drawings are enclosed.

13. Enclosed is a copy of each Information Disclosure Statement (IDS) and Form PTO 1449 of record in each prior application relied on for an earlier filing date under 35 U.S.C. 120.

14. Enclosed is a copy each Form PTO 892 of record in each prior application relied on for an earlier filing date under 35 U.S.C. 120.

15. Also enclosed: Form PCT/1B/304

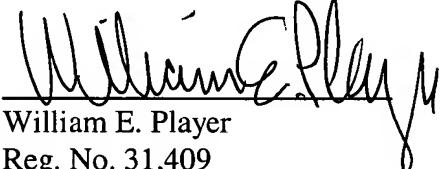
Address all future correspondence to:

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Respectfully submitted,

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By


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